

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|----------------------|------------------------|----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/772,787 | |
| | Filing Date | February 4, 2004 | |
| | First Named Inventor | Michael J. DeLuca | |
| | Art Unit | 2612 | |
| | Examiner Name | | |
| Total Number of Pages in This Submission | 11 | Attorney Docket Number | 2100874-991140 |

| ENCLOSURES (Check all that apply) | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request to Correct Filing Receipt, (2 pages); Copy of Filing Receipt, (2 pages); Copy of Declaration and Power of Attorney (5 pages) |
| Remarks The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896. A duplicate page is enclosed. Customer No. 29585 | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Andrew V. Smith, Reg. No. 43,132 153 Townsend Street, Suite 800 San Francisco, CA 94107 | Gray Cary Ware & Freidenrich, LLP Telephone: 415-836-2522 Facsimile: 415-836-2501 |
| Signature | | |
| Date | 8-5-04 | |

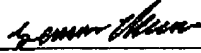
| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|------------|-------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Fax: 1-703-746-9195 | | |
| Typed or printed name | Gerry Ubau | |
| Signature | | Date 8-5-04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile, 1-703-746-9195, and addressed to: Office of Initial Patent Examination's Filing Receipt Corrections, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 5, 2004.


Gerry Ubau

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/772,767
Applicant : Michael J. DeLuca
Filed : February 4, 2004
TC/A.U. : 2612
Examiner :

Confirmation No. 2360

Docket : 2100874-991140
No.
Customer : 29585
No.

Title: OPTIMIZED PERFORMANCE AND PERFORMANCE FOR RED-EYE
FILTER METHOD AND APPARATUS

REQUEST TO CORRECT FILING RECEIPT

Office of Initial Patent Examination's Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully submitted that the Filing Receipt in the above-identified patent application is incorrect for the following reason:

In the Applicant(s) Section

The following name should be corrected as follows:

Alexei Pososin and NOT Alexci Pososin

Gray Cary/SP3103198.1
2100874-991140

-1-

BEST AVAILABLE COPY

Attorney Docket No. 2100874-991140

Serial No.: 10/772,767

Please amend the filing receipt and any other official patent office records to reflect the correct spelling of inventor Alexei Pososin as noted above and please issue a corrected filing receipt.

Included with this request to correct the filing receipt please find a copy of the executed Declaration and Power of Attorney which was filed with the response to the notice to file missing parts on July 2, 2004.

Enclosed please find a copy of the filing receipt with the changes shown.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

Dated: 8-5-04

By 

Andrew V. Smith
Reg. No. 43,132
Attorney for Applicant

GRAY CARY WARE & FREIDENRICH LLP
153 Townsend Street, Suite 800
San Francisco, CA 94107
Telephone: 415-836-2522
Facsimile: 415-836-2501

Customer No.: 29585

BEST AVAILABLE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22315-1450
www.uspto.gov

| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/772,787 | 02/04/2004 | 2612 | 2894 | 2100874-991140 | 6 | 126 | 4 |

29585
GRAY CARY WARE & FREIDENRICH LLP
153 TOWNSEND
SUITE 800
SAN FRANCISCO, CA 94107

RECEIVED

CONFIRMATION NO. 2360

UPDATED FILING RECEIPT

AUG 02 2004



OC000000013363516

GRAY CARY
WARE & FREIDENRICH

Date Mailed: 07/30/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael J. DeLuca, Boca Raton, FL;
Yury Prilutsky, San Mateo, CA;
Eran Steinberg, San Francisco, CA;
Peter Corcoran, Claregalway, IRELAND;
Alexei ~~Alexei~~ Pososin, Galway, IRELAND;
Petronel Bigioi, Galway, IRELAND;
Alexandru Drimborean, Galway, IRELAND;
Adrian Capata, Bucuresti, ROMANIA;
Florin Nanu, Bucuresti, ROMANIA;

Domestic Priority data as claimed by applicant

This application is a CIP of 10/635,862 08/05/2003
which is a CIP of 10/170,511 06/12/2002
which is a CON of 08/947,603 10/09/1997 PAT 6,407,777

Foreign Applications

If Required, Foreign Filing License Granted: 05/04/2004

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

BEST AVAILABLE COPY

Early Publication Request: No

Title

Optimized performance and performance for red-eye filter method and apparatus

Preliminary Class

348

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.63(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).